

TRULINCS 45087177 - KIMES, LARRY W - Unit: BMP-G-A

FROM: 45087177
TO:
SUBJECT: Letter to District Clerk
DATE: 05/06/2015 01:16:43 PM

May 6, 2015

U.S. District Clerk
Western District of Texas
655 E. Cesar E. Chavez Blvd.
San Antonio, Texas 78206

Re: Missing Documents and Exhibits
U.S. v. Larry W. Kimes
Case Number: SA-12-CR-886(2)-FB
Fifth Circuit Court of Appeals Number: 14-50403

Dear Sir or Madam:

On October 31, 2014, the Fifth Circuit ordered your office to send me copies of ALL of the sealed documents in my case. A copy of the Fifth Circuit's cover letter and order are attached for your reference.

On December 1, 2014, your office sent me some, but not all of the documents. A copy of your letter of that date is attached hereto. I still desperately need the missing documents.

I plead guilty on January 16, 2014. On January 24, 2014, Ms. Felicia D. Lewis filed the INITIAL PRESENTENCE REPORT ("PSR"). This is listed as Document 106. This document was NOT provided. Instead, Document 114, entitled SEALED PRESENTENCE INVESTIGATION REPORT was provided. The correct title of this document is CONFIDENTIAL SENTENCING RECOMMENDATION, which is not the same as the PSR.

In several of the pleadings on file, including Document 140 and 157, Objections to the PSR are mentioned, but I can find no place in the docket where it shows the Objection were filed. Document 157 is Judge Biery's order on the objections, so Mr. Langlois must have filed them. In any event, I need a copy of the Objections to the PSR.

You sent Documents 40, 42, 57, 63, 71, 75, 99, 114-3, 119, 123, 125, 130, AND 133.

I do not need any additional documents after May 28, 2014.

You did NOT send Documents 106, 115, and 132 despite the fact that these documents were specifically mentioned in the Fifth Circuit's order. Document 141 is another SEALED document that you did not send.

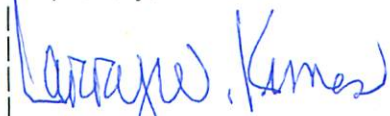
You also did not send ANY of the exhibits, including those listed in Document 102, 103, and 118.

Please send the missing documents and exhibits as soon as possible. I must have these documents to properly pursue my post-conviction remedies.

TIME IS OF THE ESSENCE.

Thank you in advance for your consideration in this matter.

Respectfully,




Larry W. Kimes
Register Number: 45087-177
FCC Beaumont (SCP), Unit GA
P.O. Box 26010

BEAUMONT, TEXAS 77720

RECEIVED

MAY 11 2015

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

October 31, 2014

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 14-50403 USA v. Larry Kimes
USDC No. 5:12-CR-886-2

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: Nancy F. Dolly, Deputy Clerk
504-310-7683

Mr. Joseph H. Gay Jr.
Mr. Larry Wayne Kimes
Mr. William Putnicki
Mr. Shane John Stolarczyk

P.S. Mr. Kimes: Your Pro Se Ander's response is due to be filed on December 30, 2014. Also, I am emailing the district court a copy of this Court's order, as well as your motion to view sealed documents, so that they can send you the documents you have requested. Please note that the sealed material is for your review ONLY. This material should be maintained in your possession under seal and returned to the District Court in the same sealed envelope as soon as it has served your purpose.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 14-50403

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

LARRY WAYNE KIMES, also known as Larry W. Kimes,

Defendant - Appellant

Appeals from the United States District Court for the
Western District of Texas, San Antonio

O R D E R :

IT IS ORDERED that pro se appellant's motion to extend the time to file his Anders response by sixty days is GRANTED.

IT IS FURTHER ORDERED that pro se appellant's alternative request to view sealed documents #40, #42, #99, #106, #115, #119, #132 and all other sealed portions of the record is GRANTED.

IT IS FURTHER ORDERED that pro se appellant's alternative request for a copy of all exhibits under document #102 and all other exhibits presented to the Court at the various hearings, including the hearing on January 16, 2014, February 21, 2014, and April 15, 2014 is GRANTED.

/s/ Edith Brown Clement
EDITH BROWN CLEMENT
UNITED STATES CIRCUIT JUDGE

RECEIVED BY THE SECRETARY OF THE ARMY
WASHINGTON, D. C. 20315
MAY 19 1964
FROM: THE SECRETARY OF THE ARMY
SUBJECT: [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

United States District Court
Western District of Texas
San Antonio Division

William G. Putnicki
Clerk of Court

655 E. Cesar E. Chavez Blvd., G-65
San Antonio, TX 78206
(210) 472-6550

DECEMBER 1, 2014

C/O WARDEN CHARLES A. DANIELS

Larry Wayne Kimes, #45087-177

USP Beaumont
U.S. Penitentiary
Satellite Camp
P.O. Box 26010
Beaumont, TX 77710

RE: USCA #14-50403 SA-12-CR-886-FB-2 USA v. Larry Wayne Kimes

Dear Mr. Larry Wayne Kimes,

Please be advised that we are sending the WARDEN of your facility the ALL SEALED DOCUMENTS (2 VOLUMES) & GOVERNMENT'S TRIAL EXHIBITS TO SENTENCING HEARING OF APRIL 15, 2014 (PER FIFTH CIRCUIT COURT OF APPEALS ORDER) for your use in preparing your brief. The warden will make it available to you in accordance with the rules of your institution.

All further correspondence should be directed to the Fifth Circuit Court of Appeals.

You are responsible for paying postage costs for the ALL SEALED DOCUMENTS (2 VOLUMES) & GOVERNMENT'S TRIAL EXHIBITS TO SENTENCING HEARING OF APRIL 15, 2014 return. Please make immediate arrangements with your warden. If you do not arrange to pay the postage, the warden may refuse to release the SEALED DOCUMENTS to you.

You must RETURN the ALL SEALED DOCUMENTS (2 VOLUMES) & GOVERNMENT'S TRIAL EXHIBITS TO SENTENCING HEARING OF APRIL 15, 2014 to the CLERK, U.S. DISTRICT COURT, 655 E. CESAR E. CHAVEZ BLVD., ROOM G-65, SAN ANTONIO, TX 78206 when your brief is filed. You must take special care to ensure the ALL SEALED DOCUMENTS (2 VOLUMES) & GOVERNMENT'S TRIAL EXHIBITS TO SENTENCING HEARING OF APRIL 15, 2014 safe handling and return. The willful mutilation or destruction of United States Court Records is a Criminal Act (18 U.S.C. Section 2071).

Sincerely,

William G. Putnicki, Clerk

/s/

Deputy Clerk

cc: Record to Warden.

45087-177

Larry W Kimes
FCC Beaumont, Unit GA
P.O. Box 26010
Beaumont, TX 77720
United States

RECEIVED
MAY 11 2015

CLERK U.S. DISTRICT OF TEXAS
WESTERN DISTRICT
BY *[Signature]* DEPUTY CLERK

45087-177

Us District Clerk
U.S. Courthouse
655 E Cesar E Chavez BLVD
Room G65
SAN Antonio, TX 78206
United States

SCREENED BY CSO
MAY 11 2015

NORTH HOUSTON TX 77060

07 MAY 2015 PM 2 L



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